



**COLORADO**  
Division of Reclamation,  
Mining and Safety  
Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

February 5, 2015

(b) (6)  
Region 8 Ecosystems Protection &  
Remediation  
Program Support Office  
1595 Wynkoop Street  
Denver, Colorado 80202-1129

RE: Grant Application for Upper Animas Watershed Mines - Red and Bonita Mine

Dear (b) (6)

Enclosed is the Colorado Division of Reclamation, Mining and Safety's grant application for the project titled "Upper Animas Watershed Mines - Red and Bonita Mine."

Please let us know if you have any questions during the review.

Thank you.

Sincerely,

(b) (6)  
(b) (6)  
Grants Officer

cc:

(b) (6), EPA  
(b) (6), DRMS  
(b) (6), DRMS  
(b) (6), DRMS



Application for Federal Assistance SF-424		
<b>* 1. Type of Submission:</b> <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application		
<b>* 2. Type of Application:</b> <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision		
<b>* If Revision, select appropriate letter(s):</b> _____ <b>* Other (Specify):</b> _____		
<b>* 3. Date Received:</b> 02/05/2015		<b>4. Applicant Identifier:</b> _____
<b>5a. Federal Entity Identifier:</b> _____		<b>5b. Federal Award Identifier:</b> _____
<b>State Use Only:</b>		
<b>6. Date Received by State:</b> _____		<b>7. State Application Identifier:</b> _____
<b>8. APPLICANT INFORMATION:</b>		
<b>* a. Legal Name:</b> Natural Resources, CO Dept of _____		
<b>* b. Employer/Taxpayer Identification Number (EIN/TIN):</b> (b) (6) _____		<b>* c. Organizational DUNS:</b> (b) (6) _____
<b>d. Address:</b>		
<b>* Street1:</b> 1313 Sherman Street		
<b>Street2:</b> Suite 215		
<b>* City:</b> Denver		
<b>County/Parish:</b> _____		
<b>* State:</b> CO: Colorado		
<b>Province:</b> _____		
<b>* Country:</b> USA: UNITED STATES		
<b>* Zip / Postal Code:</b> 80203-2243		
<b>e. Organizational Unit:</b>		
<b>Department Name:</b> Natural Resources, CO Dept of _____		<b>Division Name:</b> Reclamation, Mining & Safety _____
<b>f. Name and contact information of person to be contacted on matters involving this application:</b>		
<b>Prefix:</b> _____		<b>* First Name:</b> (b) (6) _____
<b>Middle Name:</b> _____		
<b>* Last Name:</b> (b) (6) _____		
<b>Suffix:</b> _____		
<b>Title:</b> Grants Officer _____		
<b>Organizational Affiliation:</b> Reclamation, Mining & Safety _____		
<b>* Telephone Number:</b> 303-866-3567 xt. (b) (6) _____		<b>Fax Number:</b> 303-812-8406 _____
<b>* Email:</b> (b) (6) @state.co.us _____		

Application for Federal Assistance SF-424

\* 9. Type of Applicant 1: Select Applicant Type:

A: State Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\* Other (specify):

\* 10. Name of Federal Agency:

US Environmental Protection Agency

11. Catalog of Federal Domestic Assistance Number:

66.802

CFDA Title:

Superfund State, Political Subdivision, and Indian Tribe Site-Specific Cooperative Agreements

\* 12. Funding Opportunity Number:

N/A

\* Title:

N/A

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

San Juan County

Add Attachment

Delete Attachment

View Attachment

\* 15. Descriptive Title of Applicant's Project:

The project funded under this cooperative agreement provides technical engineering support for a water impounding concrete bulkhead to be installed in the Red and Bonita Mine during 2015.

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

# Application for Federal Assistance SF-424

## 16. Congressional Districts Of:

\* a. Applicant

1

\* b. Program/Project

3

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

## 17. Proposed Project:

\* a. Start Date:

03/01/2015

\* b. End Date:

12/31/2016

## 18. Estimated Funding (\$):

\* a. Federal

25,000.00

\* b. Applicant

0.00

\* c. State

0.00

\* d. Local

0.00

\* e. Other

0.00

\* f. Program Income

0.00

\* g. TOTAL

25,000.00

## \* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?

☐

a. This application was made available to the State under the Executive Order 12372 Process for review on

☐

b. Program is subject to E.O. 12372 but has not been selected by the State for review.

☒

c. Program is not covered by E.O. 12372.

## \* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)

☐ Yes

☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. \*By signing this application, I certify (1) to the statements contained in the list of certifications\*\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\*\* and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 216, Section 1001)

☒ \*\* I AGREE

\*\* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

## Authorized Representative:

Prefix:

\* First Name:

(b) (6)

Middle Name:

\* Last Name:

(b) (6)

Suffix:

\* Title:

Active & Inactive Mine Program

\* Telephone Number:

303 (b) (6)

Fax Number:

\* Email:

(b) (6)

@state.co.us

\* Signature of Authorized Representative:

(b) (6)

\* Date Signed:

5/23/15

# BUDGET INFORMATION - Non-Construction Programs

OMB Number: 4040-0005

Expiration Date: 06/30/2014

## SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. Superfund State, Political Subdivision, and Indian Tribe Site- Specific Cooperative Agreements	56.802	\$	\$	25,000.00	\$	25,000.00
2.						
3.						
4.						
5. Totals		\$	\$	25,000.00	\$	25,000.00

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**SECTION B - BUDGET CATEGORIES**

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1) Superfund State, Political Subdivision, and Indian Tribe Site- Specific Cooperative Agreements	(2)	(3)	(4)	
a. Personnel	\$ 18,487.70	\$	\$	\$	\$ 18,487.70
b. Fringe Benefits	4,621.93				4,621.93
c. Travel					
d. Equipment					
e. Supplies					
f. Contractual					
g. Construction					
h. Other					
i. Total Direct Charges (sum of 6a-6h)	23,109.63				\$ 23,109.63
j. Indirect Charges	1,890.37				\$ 1,890.37
k. TOTALS (sum of 6i and 6j)	\$ 25,000.00	\$	\$	\$	\$ 25,000.00
7. Program Income	\$	\$	\$	\$	\$

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SECTION C - NON-FEDERAL RESOURCES				
(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS
8. <input style="width: 90%;" type="text"/>	\$ <input style="width: 40%;" type="text"/>	\$ <input style="width: 40%;" type="text"/>	\$ <input style="width: 40%;" type="text"/>	\$ <input style="width: 40%;" type="text"/>
9. <input style="width: 90%;" type="text"/>	<input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>
10. <input style="width: 90%;" type="text"/>	<input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>
11. <input style="width: 90%;" type="text"/>	<input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>
12. TOTAL (sum of lines 8-11)	\$ <input style="width: 40%;" type="text"/>	\$ <input style="width: 40%;" type="text"/>	\$ <input style="width: 40%;" type="text"/>	\$ <input style="width: 40%;" type="text"/>

SECTION D - FORECASTED CASH NEEDS					
	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$ <input style="width: 40%;" type="text"/>	\$ <input style="width: 40%;" type="text"/>	\$ <input style="width: 40%;" type="text"/>	\$ <input style="width: 40%;" type="text"/>	\$ <input style="width: 40%;" type="text"/>
14. Non-Federal	\$ <input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>
15. TOTAL (sum of lines 13 and 14)	\$ <input style="width: 40%;" type="text"/>	\$ <input style="width: 40%;" type="text"/>	\$ <input style="width: 40%;" type="text"/>	\$ <input style="width: 40%;" type="text"/>	\$ <input style="width: 40%;" type="text"/>

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT				
(a) Grant Program	FUTURE FUNDING PERIODS (YEARS)			
	(b) First	(c) Second	(d) Third	(e) Fourth
16. <input style="width: 90%;" type="text"/>	\$ <input style="width: 40%;" type="text"/>	\$ <input style="width: 40%;" type="text"/>	\$ <input style="width: 40%;" type="text"/>	\$ <input style="width: 40%;" type="text"/>
17. <input style="width: 90%;" type="text"/>	<input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>
18. <input style="width: 90%;" type="text"/>	<input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>
19. <input style="width: 90%;" type="text"/>	<input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>	<input style="width: 40%;" type="text"/>
20. TOTAL (sum of lines 16 - 19)	\$ <input style="width: 40%;" type="text"/>	\$ <input style="width: 40%;" type="text"/>	\$ <input style="width: 40%;" type="text"/>	\$ <input style="width: 40%;" type="text"/>

SECTION F - OTHER BUDGET INFORMATION	
21. Direct Charges: <input style="width: 90%;" type="text"/>	22. Indirect Charges: <input style="width: 90%;" type="text"/>
23. Remarks: <input style="width: 98%;" type="text"/>	

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### ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

**NOTE:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

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9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
19. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL <div style="border: 1px solid black; padding: 5px;">(b) (6)</div>	TITLE <div style="border: 1px solid black; padding: 5px;">(b) (6) Active &amp; Inactive Mine Program</div>
APPLICANT ORGANIZATION <div style="border: 1px solid black; padding: 5px;">Colorado Division of Reclamation, Mining &amp; Safety</div>	DATE SUBMITTED <div style="border: 1px solid black; padding: 5px;">5/FEB/2015</div>

Standard Form 424B (Rev. 7-87) Back



United States  
ENVIRONMENTAL PROTECTION AGENCY  
Washington, DC 20460

OMB Control No. 2030-0020  
Approval expires 08/30/2017

EPA Project Control Number

## CERTIFICATION REGARDING LOBBYING

### CERTIFICATION FOR CONTRACTS, GRANTS, LOANS AND COOPERATIVE AGREEMENTS

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-contracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31 U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

(b) (6) Active & Inactive Mine Program

Typed Name & Title of Authorized Representative

(b) (6)

The public reporting and recordkeeping burden for this collection of information is estimated to average 15 minutes per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

EPA Form 5600-06 (Rev. 05/2014) Previous editions are obsolete.

<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b> <b>Washington, DC 20460</b> <b>Preaward Compliance Review Report for</b> <b>All Applicants and Recipients Requesting EPA Financial Assistance</b> <i>Note: Read instructions on other side before completing form.</i>		
<b>I. Applicant/Recipient (Name, Address, State, Zip Code).</b> <b>Natural Resources, Co Dept/ Reclamation, Mining &amp; Safety</b>	<b>DUNS No.</b> <b>(b) (6)</b>	
<b>II. Is the applicant currently receiving EPA assistance?</b> <b>Yes</b>		
<b>III. List all civil rights lawsuits and administrative complaints pending against the applicant/recipient that allege discrimination based on race, color, national origin, sex, age, or disability. (Do not include employment complaints not covered by 40 C.F.R. Parts 5 and 7. See instructions on reverse side.)</b> <b>None</b>		
<b>IV. List all civil rights lawsuits and administrative complaints decided against the applicant/recipient within the last year that allege discrimination based on race, color, national origin, sex, age, or disability and enclose a copy of all decisions. Please describe all corrective action taken. (Do not include employment complaints not covered by 40 C.F.R. Parts 5 and 7. See instructions on reverse side.)</b> <b>None</b>		
<b>V. List all civil rights compliance reviews of the applicant/recipient conducted by any agency within the last two years and enclose a copy of the review and any decisions, orders, or agreements based on the review. Please describe any corrective action taken. (40 C.F.R. § 7.80(c)(3))</b> <b>None</b>		
<b>VI. Is the applicant requesting EPA assistance for new construction? If no, proceed to VII; if yes, answer (a) and/or (b) below.</b> <div style="display: flex; justify-content: space-between;"> <span><b>Yes</b></span> <span><b>✓ No</b></span> </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 80%;"> <b>a. If the grant is for new construction, will all new facilities or alterations to existing facilities be designed and constructed to be readily accessible to and usable by persons with disabilities? If yes, proceed to VII; if no, proceed to VI(b).</b> </div> <div style="width: 10%;"> <b>Yes</b> </div> <div style="width: 10%;"> <b>No</b> </div> </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 80%;"> <b>b. If the grant is for new construction and the new facilities or alterations to existing facilities will not be readily accessible to and usable by persons with disabilities, explain how a regulatory exception (40 C.F.R. § 7.70) applies.</b> </div> <div style="width: 10%;"> <b>Yes</b> </div> <div style="width: 10%;"> <b>No</b> </div> </div>		
<b>VII. Does the applicant/recipient provide initial and continuing notice that it does not discriminate on the basis of race, color, national origin, sex, age, or disability in its programs or activities? (40 C.F.R. § 5.140 and § 7.95)</b> <div style="display: flex; justify-content: space-between;"> <span><b>✓ Yes</b></span> <span><b>No</b></span> </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 80%;"> <b>a. Do the methods of notice accommodate those with impaired vision or hearing?</b> </div> <div style="width: 10%;"> <b>✓ Yes</b> </div> <div style="width: 10%;"> <b>No</b> </div> </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 80%;"> <b>b. Is the notice posted in a prominent place in the applicant's offices or facilities or, for education programs and activities, in appropriate periodicals and other written communications?</b> </div> <div style="width: 10%;"> <b>✓ Yes</b> </div> <div style="width: 10%;"> <b>No</b> </div> </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 80%;"> <b>c. Does the notice identify a designated civil rights coordinator?</b> </div> <div style="width: 10%;"> <b>✓ Yes</b> </div> <div style="width: 10%;"> <b>No</b> </div> </div>		
<b>VIII. Does the applicant/recipient maintain demographic data on the race, color, national origin, sex, age, or handicap of the population it serves? (40 C.F.R. § 7.85(a))</b> <b>yes</b>		
<b>IX. Does the applicant/recipient have a policy/procedure for providing access to services for persons with limited English proficiency? (40 C.F.R. Part 7, E.O. 13166)</b> <b>yes</b>		
<b>X. If the applicant/recipient is an education program or activity, or has 15 or more employees, has it designated an employee to coordinate its compliance with 40 C.F.R. Parts 5 and 7? Provide the name, title, position, mailing address, e-mail address, fax number, and telephone number of the designated coordinator.</b> <b>(b) (6)</b> , ADA Coordinator, 1313 Sherman St, Ste 415, Denver,		
<b>XI. If the applicant/recipient is an education program or activity, or has 15 or more employees, has it adopted grievance procedures that assure the prompt and fair resolution of complaints that allege a violation of 40 C.F.R. Parts 5 and 7? Provide a legal citation or Internet address for, or a copy of, the procedures.</b> <a href="http://dnrwebspint/hr/Pages/default.aspx">http://dnrwebspint/hr/Pages/default.aspx</a>		
<p style="text-align: center;"><b>For the Applicant/Recipient</b></p> <p>I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law. I assure that I will fully comply with all applicable civil rights statutes and EPA regulations.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <b>A. Signature of Authorized Official</b>  <b>(b) (6)</b> </div> <div style="width: 30%;"> <b>B. Title of Authorized Official</b>  <b>(b) (6) Active &amp; Inactive Mine</b> </div> <div style="width: 30%;"> <b>C. Date</b>  <b>5/FEB/2010</b> </div> </div> <p style="text-align: center;"><b>For the U.S. Environmental Protection Agency</b></p> <p>I have reviewed the information provided by the applicant/recipient and hereby certify that the applicant/recipient has submitted all preaward compliance information required by 40 C.F.R. Parts 5 and 7; that based on the information submitted, this application satisfies the preaward provisions of 40 C.F.R. Parts 5 and 7; and that the applicant has given assurance that it will fully comply with all applicable civil rights statutes and EPA regulations.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <b>A. Signature of Authorized EPA Official</b> </div> <div style="width: 30%;"> <b>B. Title of Authorized EPA Official</b> </div> <div style="width: 30%;"> <b>C. Date</b> </div> </div> <p><small>See * note on reverse side</small></p>		

Upper Animas Watershed Mines - Red and Bonita Mine – Technical Support  
Colorado Department of Natural Resources/Division of Reclamation, Mining & Safety  
Budget for Red and Bonita Mine near the Town of Silverton, San Juan County, Colorado

A. Personnel Computation

<u>Position/Title</u>	<u>Annual Salary</u>	<u>% of time assigned to project</u>	<u>Cost</u>
Geo-Engineer	\$97,860	18.9%	\$18,487.70
(b) (6)			

B. Fringe Benefits

<u>Position/Title</u>	<u>Fringe Benefit Rate</u>	<u>Personnel Cost</u>	<u>Total Fringe Benefit Cost</u>
Geo-Engineer	20%	\$18,487.70	\$4,621.93
(b) (6)			

Total Personnel & Fringe Benefits      \$23,109.63

C. Indirect Costs

<u>Indirect Cost Rate</u>	<u>Base Computation</u>	<u>Total Cost</u>
8.18%	\$23,109.63 at 8.18%	\$1,890.37

Total Project Costs      \$25,000.00

**Upper Animas Watershed Mines - Red and Bonita Mine – Technical Support**  
**Colorado Department of Natural Resources/Division of Reclamation, Mining & Safety**  
**Work Plan for Red and Bonita Mine near the Town of Silverton, San Juan County, Colorado**

The Colorado Division of Reclamation, Mining, and Safety (DRMS) has been tasked by EPA to provide technical engineering support for a water impounding concrete bulkhead to be installed in the Red and Bonita Mine during 2015. Additional work may include DRMS assistance with monitoring and assessing impacts caused by the Red and Bonita bulkhead on the hydrology of the Cement Creek and Upper Animas drainages, particularly related to discharges from vicinity mines.

**Component 1: Red and Bonita bulkhead design.**

(DRMS/(b) (6) 150 work hours): \$8925.00

Output: A complete design and specification package will be prepared for a water impounding concrete bulkhead for the Red and Bonita Mine.

**Component 2: Assist EPA with technical planning associated with underground workings preparations and contractor equipment requirements required to perform bulkhead construction.**

(DRMS/(b) (6) 120.17 work hours): \$7150.00

Output: Office and field engineering support including planning documents and meetings during and after the selection of the bulkhead installation contractor(s).

**Component 3: Construction Phase Inspections**

(DRMS/(b) (6) 150 work hours) \$8925.00

Output: Perform onsite inspections during the construction phase on a periodic basis to evaluate the preparation of the bulkhead site and construction of the bulkhead and provide field engineering support if needed. This work will occur between July and October 2015.

**TOTAL:** \$25,000.00

**Basis for Estimated Costs:**

(b) (6) Hourly: \$55.00 + 8.18% indirect = \$59.50

**Timelines/Milestones:**

Component 1 completed prior to 3/31/15

Component 2 completed prior to 8/1/15

Component 3 completed prior to 11/30/15

**Progress Reports:**

The project closeout report will be submitted to the Project Officer on or before 3/31/16.

**Upper Animas Watershed Mines - Red and Bonita Mine – Technical Support  
Colorado Department of Natural Resources/Division of Reclamation, Mining & Safety  
Biographical Sketch of Key Personnel for Red and Bonita Mine near the Town of Silverton, San Juan  
County, Colorado**

(b) (6) Geological Engineer/Project Manager/Environmental Protection Specialist with the Colorado Division of Reclamation, Mining, and Safety.

**Education**

(b) (6)

(b) (6) has been with the Division of Reclamation, Mining and Safety since (b) (6) and (b) (6) for the Division's Inactive Mine Program (IMP).

**Brief Duty Description:** Provides staff authority and technical guidance, independent engineering review and oversight to IMP Director, and all IMP Program Managers and Staff in the design and implementation of underground source-water controls and construction reclamation projects at sites statewide by using specific mining engineering expertise, knowledge and analysis of engineering and geotechnical designs, program safety and performance rules, and engineering and underground mining practices not possessed by other IMP Program Staff for underground construction projects.

Analyzes and guides the engineering design criteria, standard of care and best engineering practice in order to advise the Program Director and work unit staff's on technical problems alternative designs and solutions to maximize safety, constructability, cost management and effectiveness of underground source controls approaches by monitoring, measuring, and evaluating designs and input parameters, conducting research, and by monitoring performance and inspecting underground construction processes, materials and specifications during underground construction projects.

Ensures that reclamation plans developed by others will meet state of practice engineering requirements appropriate factors of safety and all State and Federal Rules and Regulations by analysis and cross-checking with established engineering best practices, testing technical assumptions and checking engineering and geotechnical calculations, and assuring that projects will result in acceptable standards of environmental protection.

Plans, manages and implements underground mine drainage control projects across team boundaries in IMP, EPA and CDPHE programs by coordinating schedules and assigning investigation, data collection and construction projects to other work unit members, inspectors, and by performing complex or critical response underground reclamation construction projects.

Tracks budgets, schedules and ensures that completion documentation for all underground mining reclamation projects meets prescribed formats and requirements by writing closeout reports, and reviewing project closeout reports and contract documentation prepared by other project managers for quality and completeness.



U.S. ENVIRONMENTAL PROTECTION AGENCY  
Washington, DC 20460  
**KEY CONTACTS FORM**

Form Approved OMB No: 2030-0020 Approval Expires 06/30/2017

**Authorized Representative:** *Original awards and amendments will be sent to this individual for review and acceptance, unless otherwise indicated.*

Name: (b) (6)  
Title: (b) (6) Active & Inactive Mine Program  
Complete Address: 1313 Sherman Street, Suite 215, Denver, CO 80203  
Phone Number: 303-866-3567 xt (b) (6)

**Payee:** *Individual authorized to accept payments.*

Name: (b) (6)  
Title: Grants Manager, Controller's Office  
Mail Address: 1313 Sherman Street, Suite 423, Denver, CO 80203  
Phone Number: 303-866-3292 xt (b) (6)

**Administrative Contact:** *Individual from Sponsored Program Office to contact concerning administrative matters (i.e., indirect cost rate computation, rebudgeting requests etc.)*

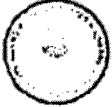
Name: (b) (6)  
Title: Grants Officer  
Mailing Address: 1313 Sherman Street, Suite 215, Denver, CO 80203  
Phone Number: 303-866-3567 xt (b) (6)  
FAX Number: 303-832-8108  
E-Mail Address: (b) (6)@state.co.us

**Principal Investigator:** *Individual responsible for the technical completion of the proposed work.*

Name: (b) (6)  
Title: Project Manager  
Mailing Address: 1313 Sherman Street, Suite 215, Denver, CO 80203  
Phone Number: 303-866-3567 xt (b) (6)  
FAX Number: (b) (6)  
E-Mail Address: (b) (6)@state.co.us  
Web URL: mining.state.co.us

The public reporting and recordkeeping burden for this collection of information is estimated to average 30 minutes per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

**NOTE: Required ONLY if applying for Superfund assistance programs.**

		UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460		Form Approved OMB No. 2000-0453	
<b>PROCUREMENT SYSTEM CERTIFICATION</b>					
APPLICANT'S NAME Colorado Division of Reclamation, Mining & Safety			ASSISTANCE APPLICATION NUMBER		
APPLICANT'S ADDRESS 1313 Sherman Street, Suite 215, Denver, CO 80203					
<b>SECTION I - INSTRUCTIONS</b>					
The applicant must complete and submit a copy of this form with each application for EPA Assistance. If the applicant has certified its procurement system to EPA within the past 2 years and the system has not been substantially revised, complete Part A in Section II, then sign and date the form. If the system has not been certified within the past 2 years, complete Part B, then sign and date the form.					
<b>SECTION II - CERTIFICATION</b>					
A. I affirm that the applicant has within the past 2 years certified to EPA that its procurement system complies with 40 CFR Part 35 and that the system meets the requirements in 40 CFR Part 35. The date of the applicant's latest certification is:				MONTH/YEAR	
B. Based upon my evaluation of the applicant's procurement system, I, as authorized representative of the applicant: (Check one of the following:)					
<input checked="" type="checkbox"/> 1. CERTIFY that the applicant's procurement system will meet all of the requirements of 40 CFR Part 35 before undertaking any procurement action with EPA assistance.					
Please furnish citations to applicable procurement ordinances and regulations					
24-102-101 - 24-102-402, C.R.S., 1982 as amended					
<input type="checkbox"/> 2 DO NOT CERTIFY THE APPLICANT'S PROCUREMENT SYSTEM. The applicant agrees to follow the requirements of 40 CFR Part 35, including the procedures in Appendix A, and allow EPA preaward review of proposed procurement actions that will use EPA assistance.					
TYPED NAME AND TITLE (b) (6) [Redacted], Active & Inactive Mine Program			(b) (6)		DATE 9/FEB/2015

EPA Form 5700-48 Previous edition is obsolete  
**See instructions on reverse side**



## INTERGOVERNMENTAL REVIEW COMPLIANCE

### BACKGROUND

On June 24, 1983, the Environmental Protection Agency (EPA) published a final regulator (40 CFR Part 29 to implement Executive Order 12372, "Intergovernmental Review of Federal Program." That Order revoked and replaced the intergovernmental consultation system requirement by OMB Circular A-95.

### APPLICABILITY

The EPA program for which you are applying may be subject to your States intergovernmental review process and/or the consultation requirements of Section 204, Demonstration Cities and Metropolitan Development Act. Program eligible for State review and subject to Section 204 are identified on page 25304 of the FEDERAL REGISTER NOTICE (see back). If your application is under a program listed, you must contact your State Single Point of Contact to find out if the program was selected for coverage by the State process and, if the program was selected, to receive information about your State's review process requirements and procedures. The present roster of State Contacts is included in this package. If the program for which are applying is subject to Section 204, you must notify area wide metropolitan or regional planning agencies and/or general government units authorized to govern planning for the locale of your project of your intended application. EPA WILL NOT PROCESS YOUR APPLICATION WITHOUT EVIDENCE OF YOUR COMPLIANCE WITH THESE REQUIREMENTS.

A. Applicant Name:

Colorado Division of Reclamation, Mining & Safety

B. Catalog of Federal Domestic Assistance Number and Title

66. 802 Superfund State, Political Subdivision, & Indian Tribe Site-Specific Coop Agreement  
(Number) (Title)

1. Program subject to State Process: Yes XX No

2. Application/Reapplication/Notice of Intent Sent to State Process On: \_\_\_\_\_

3. Program Subject to Section 204: Yes XX No

(over)

List of programs subject to Section 204, Demonstration Cities and Metropolitan Development Act.

# Poor Quality Source Document

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images have been  
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available source copy.

To view the actual hard copy,  
contact the Region VIII Records  
Center at (303) 312-6473.

**APPENDIX A:**  
**EPA programs eligible for intergovernmental review**

States may select any or all of the following EPA programs and activities for review under their official intergovernmental review process. All programs are active as of September 2005. Programs which are also subject to Section 204 of the Demonstration, Cities and Metropolitan Development Act are identified with an asterisk (\*). Please note that not all activities within the following EPA programs are excluded from intergovernmental review.

CERCLA	Program Title
66.001	* Air Pollution Control Program Support
66.002	State Indoor Radon Grants
66.003	Aviation Transport
66.004	Surveys, Studies, Investigations, Demonstrations and Special Purpose Activities relating to the Clean Air Act
66.012	Community Action for a Renewed Environment (CARE) Program
66.016	Clean School Bus USA
66.019	Healthy Communities Grant Program
66.021	Regional Environmental Priority Projects
66.045	Compliance Assistance Support for Services to the Regulated Community and Other Assistance Providers
66.056	Environmental Justice Collaborative Problem-Solving Cooperative Agreement Program
66.018	* Construction Grants for Wastewater Treatment Works
66.019	* Water Pollution Control State and Interstate Program Support
66.024	Surveys, Studies, Demonstrations and Special Purpose Grants - Section 1442 of the Safe Drinking Water Act
66.032	State Public Water System Supervision
66.033	* State Underground Water Source Protection
66.035	Surveys, Studies, Investigations, Demonstrations, and Training Grants and Cooperative Agreements - Section 104(b)(3) of the Clean Water Act
66.036	Long Island Sound Program
66.038	Targeted Watershed Grants
66.044	* Water Quality Management Planning
66.050	* National Estuary Program
66.058	Capitalization Grants for Clean Water State Revolving Funds
66.060	* Nonpoint Source Implementation Grants
66.061	* Regional Wetland Program Development Grants
66.062	* National Wetland Program Development Grants
66.063	* Water Quality Cooperative Agreements
66.066	* Catastrophe Day Program
66.067	Wastewater Operator Training Grant Program (Technical Assistance)

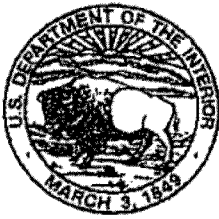
66-468	* Capitalization Grants for Drinking Water State Revolving Funds
66-469	Great Lakes Program
66-471	* State Grants to Reimburse Operators of Small Water Systems for Training and Certification Costs
66-472	* Beach Monitoring and Notification Program Implementation Grants
66-474	Water Pollution Grants to the States
66-477	Gulf of Mexico Program
66-478	Wetland Program Grants - State/Tribal Environmental Outcome Wetland Demonstration Program
66-481	Assessment and Watershed Protection Program Grants
66-481	Lake Champlain Basin Program
66-483	Science To Achieve Results (STAR) Research Program <sup>1</sup>
66-486	Surveys, Studies, Investigations and Special Purpose Grants within the Office of Research and Development
66-487	Office of Research and Development Consolidated Research/Training <sup>1</sup>
66-488	Regional Environmental Monitoring and Assessment Program (REMAMP) Research Projects <sup>1</sup>
66-489	Greater Opportunities: Research Program <sup>1</sup>
66-490	P3 Award: National Student Design Competition for Sustainability <sup>1</sup>
66-491	* Environmental Protection Consolidated Grants - Program Support
66-492	Environmental Justice Small Grant Program
66-493	Performance Partnership Grants
66-494	* Surveys, Studies, Investigations and Special Purpose Grants
66-495	Protection of Children and Older Adults (Elderly) from Environmental Health Risks
66-496	Surveys, Studies, Investigations and Special Purpose Grants within the Office of the Administrator
66-497	Environmental Policy and Innovation Grants
66-498	TSCA Title IV State Lead Grants Certification of Lead-Based Paint Professionals
66-499	Pollution Prevention Grants Program
66-500	Multi-Media Capacity Building Grants for States and Tribes
66-501	Childhood Blood Lead Screening and Lead Awareness (Educational) Outreach for Indian Tribes
66-502	Surveys, Studies, Investigations, Training Demonstrations and Educational Outreach
66-503	* Source Reduction Assistance
66-504	* Hazardous Waste Management State Program Support
66-505	* Superfund State, Political Subdivision, and Indian Tribe Site-Specific Cooperative Agreements
66-506	* State and Tribal Underground Storage Tanks Program
66-507	* Leaking Underground Storage Tank Trust Fund Program
66-508	Superfund Technical Assistance Grants (TAG) for Community Groups at National Priority List (NPL) Sites
66-509	Superfund Waste Management Assistance Grants
66-510	Superfund State and Indian Tribe Core Program Cooperative Agreements

66-811 Chemical Emergency Preparedness and Prevention (CEPP) Technical Assistance Grants Program  
 66-812 Hazardous Waste Management Grant Program for Tribes  
 66-813 Alternative or Innovative Treatment Technology Research, Demonstration, Training, and Hazardous Substance Research Grants  
 66-814 Brownfields Training, Research, and Technical Assistance Grants and Cooperative Agreements  
 66-816 Headquarters and Regional Underground Storage Tanks Program  
 66-817 State and Tribal Response Program Grants  
 66-818 Brownfields Assessment and Cleanup Cooperative Agreements  
 66-931 International Financial Assistance Projects Sponsored by the Office of International Affairs  
 66-940 Environmental Policy and State Innovation Grants  
 66-950 Environmental Education and Training Program

CEIA 4 Direct development activity title

- (N/A) \* Real property acquisition or disposition by EPA, including obtaining major leases or easements.
- (N/A) \* Construction of new EPA facilities.
- (N/A) \* EPA issued plans and permits which do not impact interstate areas.

\* Selection is limited to proposals administered by the Office of Research and Development which (a) require an Environmental Impact Statement (EIS), or (b) do not require an EIS but will be newly initiated at a particular site and require unusual measures to limit the possibility of adverse exposure or hazard to the general public; or (c) have a unique geographic focus and are directly relevant to the governmental responsibilities of a State or local government within that geographic area. Otherwise, national research programs are exempt from review.



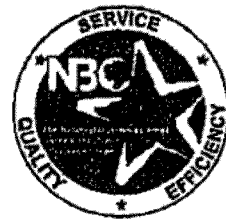
United States Department of the Interior

NATIONAL BUSINESS CENTER

Indirect Cost Services

2180 Harvard Street, Suite 430

Sacramento, CA 95815



June 20, 2014

(b) (6)

State of Colorado  
Department of Natural Resources  
1313 Sherman Street, Room 718  
Denver, CO 80203

Dear (b) (6)

Enclosed is the signed original negotiated indirect cost rate agreement that was processed by our office. If you have any questions concerning this agreement, please refer to the signature page for the name and contact number of the negotiator.

As a recipient of federal funds, you are required to submit Indirect Cost Proposals on an annually basis. Proposals are due within 6 months after the close of your fiscal year end and are processed on a first-in, first-out basis.

Common fiscal year end dates and proposal due dates are listed below:

Fiscal Year End Date	Proposal Due Date
September 30 <sup>th</sup>	March 31 <sup>st</sup>
December 31 <sup>st</sup>	June 30 <sup>th</sup>
June 30 <sup>th</sup>	December 31 <sup>st</sup>

Please visit our Web site at [http://www.doi.gov/ibc/services/Indirect\\_Cost\\_Services](http://www.doi.gov/ibc/services/Indirect_Cost_Services) for guidance and updates on submitting future indirect cost proposals. The website includes helpful tools such as a completeness checklist, indirect cost and lobbying certificates, sample proposals, excel worksheet templates, and links to other Web sites.

Sincerely,

(b) (6)  
(b) (6)

Ref: J: States & Local Gov Colorado Colorado Department of Natural Resources (Conrc202) Contr-Issue  
Ltr.FY15.doc

Phone: (916) 566-7111  
Fax: (916) 566-7110



E-mail: [ICS@nbc.gov](mailto:ICS@nbc.gov)  
Internet: <http://www.aqd.nbc.gov/ics>

**State and Local Governments  
Indirect Cost Negotiation Agreement**

EIN: 84-0644739

Organization:

Date: June 20, 2014

State of Colorado  
Department of Natural Resources  
1313 Sherman Street, Room 718  
Denver, CO 80203

Report No(s): 14-A-0841

Filing Ref.:  
Last Negotiation Agreement  
dated July 10, 2013

The indirect cost rates contained herein are for use on grants, contracts, and other agreements with the Federal Government to which 2 CFR 225 (OMB Circular A-87) applies, subject to the limitations in Section II.A. of this agreement. The rates were negotiated by the U.S. Department of the Interior, Interior Business Center, and the subject organization in accordance with the authority contained in 2 CFR 225.

**Section I: Rates**

Type	Effective Period		Rate*	Locations	Applicable To	Federal %in Base
	From	To				
Fixed Carryforward	07/01/14	06/30/15	3.59%	All	1/	2.57%
Fixed Carryforward	07/01/14	06/30/15	8.18%	All	2/	43.07%
Fixed Carryforward	07/01/14	06/30/15	92.78%	All	3/	0.00%
Fixed Carryforward	07/01/14	06/30/15	33.09%	All	4/	1.68%
Fixed Carryforward	07/01/14	06/30/15	4.45%	All	5/	0.85%
Fixed Carryforward	07/01/14	06/30/15	10.76%	All	6/	1.13%
Fixed Carryforward	07/01/14	06/30/15	33.15%	All	7/	22.89%
Fixed Carryforward	07/01/14	06/30/15	29.22%	All	8/	17.24%

1/ Executive Director's Office (EDO)	5/ Water Resources
2/ Reclamation Mining & Safety	6/ Oil & Gas
3/ State Land Board	7/ Geological Survey
4/ Water Conservation	8/ Parks & Wildlife (PR/DJ)

\*Base: Total direct salaries and wages, including fringe benefits.

Treatment of fringe benefits: Fringe benefits applicable to direct salaries and wages are treated as direct costs; fringe benefits applicable to indirect salaries and wages are treated as indirect costs.

**Section II: General**

Page 1 of 3

A. Limitations: Use of the rates contained in this agreement is subject to any applicable statutory limitations. Acceptance of the rates agreed to herein is predicated upon these conditions: (1) no costs other than those incurred by the subject organization were included in its indirect cost rate proposal, (2) all such costs are the legal obligations of the grantee/contractor, (3) similar types of costs have been accorded consistent treatment, and (4) the same costs that have been treated as indirect costs have not been claimed as direct costs (for example, supplies can be charged directly to a program or activity as long as these costs are not part of the supply costs included in the indirect cost pool for central administration).

B. Audit: All costs (direct and indirect, federal and non-federal) are subject to audit. Adjustments to amounts resulting from audit of the cost allocation plan or indirect cost rate proposal upon which the negotiation of this agreement was based will be compensated for in a subsequent negotiation.

C. Changes: The rate(s) contained in this agreement are based on the organizational structure and the accounting system in effect at the time the proposal was submitted. Changes in organizational structure, or changes in the method of accounting for costs which affect the amount of reimbursement resulting from use of the rate(s) in this agreement, require the prior approval of the responsible negotiation agency. Failure to obtain such approval may result in subsequent audit disallowance.

D. Rate Type:

1. Fixed Carryforward Rate: The fixed carryforward rate is based on an estimate of the costs that will be incurred during the period for which the rate applies. When the actual costs for such periods have been determined, an adjustment will be made to the rate for future periods, if necessary, to compensate for the difference between the costs used to establish the fixed rate and the actual costs.

2. Provisional/Final Rates: Within 6 months after year end, a final indirect cost rate proposal must be submitted based on actual costs. Billings and charges to contracts and grants must be adjusted if the final rate varies from the provisional rate. If the final rate is greater than the provisional rate and there are no funds available to cover the additional indirect costs, the organization may not recover all indirect costs. Conversely, if the final rate is less than the provisional rate, the organization will be required to pay back the difference to the funding agency.

3. Predetermined Rate: The predetermined rate contained in this agreement is based on estimated costs which will be incurred during the period for which the rate applies and is normally not subject to subsequent carry-forward adjustments. However, if material changes occur in the grantee/contractor's cost structure, adjustments to the rate may be necessary to compensate for the effects of such changes.

E. Agency Notification: Copies of this document may be provided to other federal offices as a means of notifying them of the agreement contained herein.

F. Record Keeping: Organizations must maintain accounting records that demonstrate that each type of cost has been treated consistently either as a direct cost or an indirect cost. Records pertaining to the costs of program administration, such as salaries, travel, and related costs, should be kept on an annual basis.

G. Reimbursement Ceilings: Grantee/contractor program agreements providing for ceilings on indirect cost rate(s) or reimbursement amounts are subject to the ceilings stipulated in the contract or grant agreements. If the ceiling rate is higher than the negotiated rate in Section I of this agreement, the negotiated rate will be used to determine the maximum allowable indirect cost.



H. Use of Other Rate(s): If any federal programs are reimbursing indirect costs to this grantee/contractor by a measure other than the approved rate(s) in this agreement, the grantee/contractor should credit such costs to the affected programs, and the approved rate should be used to identify the maximum amount of indirect cost allocable to these programs.

I. Central Service Costs: Where central service costs are estimated for the calculation of indirect cost rate(s), adjustments will be made to reflect the difference between provisional and final amounts.

J. Other:

1. The purpose of an indirect cost rate is to facilitate the allocation and billing of indirect costs. Approval of the indirect cost rate does not mean that an organization can recover more than the actual costs of a particular program or activity.

2. Programs received or initiated by the organization subsequent to the negotiation of this agreement are subject to the approved indirect cost rate if the programs receive administrative support from the indirect cost pool. It should be noted that this could result in an adjustment to a future rate.

3. New indirect cost proposals are necessary to obtain approved indirect cost rate(s) for future fiscal or calendar years. The proposals are due in our office 6 months prior to the beginning of the year to which the proposed rate(s) will apply.

Section III: Acceptance

Listed below are the signatures of acceptance for this agreement:

By the State & Local Government:

By the Cognizant Federal Government  
Agency:

State of Colorado  
Department of Natural Resources  
State/Local Government

U.S. Department of the Interior  
Agency

Signature  /s/

 s

Name (Type or Print)

Name





Title

Office of Indirect Cost Services  
Title

Date 6/13/2014

U.S. Department of the Interior  
Interior Business Center  
Agency

JUN 20 2014

Date

Negotiated by 

Telephone (916) 